

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 5. LICENSING OF CODE ENFORCEMENT OFFICIALS

N.J.A.C. 5:23-5

§ 5:23-5.1 Title; scope; intent

(a) This subchapter of the regulations adopted pursuant to authority of the Uniform Construction Code Act, entitled "Licensing of Code Enforcement Officials", shall be known and may be cited throughout the regulations as subchapter 5, and when referred to in this part of the regulations may be cited as "this subchapter."

(b) Unless otherwise specifically provided, all references to article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such article, section or provision of this subchapter.

(c) This subchapter shall control all matters relating to qualifications for and licensing of all subcode enforcement officials engaged in or to be engaged in the administration and enforcement of the New Jersey Uniform Construction Code, including types of licensed code enforcement officials; procedures for application, issuance, denial and revocation of licenses; the approval of testing and/or educational programs offered to meet the requirements for licensing of code enforcement officials or construction board of appeal members; application fees for a license; and enforcement of penalties for violations of this subchapter. Additional provisions regarding the licensing of elevator subcode officials are contained in N.J.A.C. 5:23-12.

(d) The Uniform Construction Code has been adopted to ensure public safety, health, and welfare insofar as they are affected by building construction. In order for the code to be enforced adequately and effectively, code officials will need to have sufficient knowledge and competence to administer and interpret the code's standards. This can best be achieved through the creation of an education and training program and the development of licensing requirements.

1. It is the purpose of this subchapter to establish standards and procedures for the licensing of Uniform Construction Code enforcement officials, and to require all persons performing duties with respect to the inspection of building construction for any political subdivision within this State, or in a private capacity, to be licensed as provided in this subchapter.

§ 5:23-5.2 Licensing unit; hearings

(a) There is hereby established in the Bureau of Code Services, Division of Codes and Standards, a Licensing Unit. The unit shall enforce this subchapter.

(b) The unit shall have the following responsibilities in addition to all others provided in this subchapter:

1. To issue such licenses as may be called for herein when warranted;

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2. To keep accurate records of all applications for a license and any official action thereon and to make such records available for inspection by the public at all reasonable times;

3. To suspend or revoke a license provided for herein upon the establishment of good cause.

(c) Any person aggrieved by any notice, action, ruling or order of the Commissioner, with respect to this subchapter, shall have a right to a hearing before the Office of Administrative Law. The final decision in any such case shall be issued by the Commissioner.

1. The aggrieved person must request a hearing in writing. The request must be filed within 15 days after receipt of the notice, order, action or ruling being appealed.

2. The request shall be filed with the Hearing Coordinator, Division of Codes and Standards, PO Box 802, Trenton, NJ 08625-0802.

3. The request for hearing shall set forth all issues that will be raised at the hearing.

§ 5:23-5.3 Types of licenses

(a) Rules concerning code enforcement licensure categories are:

1. Technical licenses: Subject to the requirements of this subchapter, persons may apply for and may be licensed in the following specialties:

i. Building inspector: Building inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Building inspector with a specialty in high-rise and hazardous structures (H.H.S.): Building inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Building inspector with a specialty in industrial and commercial structures (I.C.S.): Building inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

(3) Building inspector with a specialty in residential and small commercial structures (R.C.S.): Building inspectors R.C.S. are authorized to review plans for structures in class III and to carry out field inspection activities for structures in classes I, II and III.

ii. Electrical inspector: Electrical inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

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(1) Electrical inspector with a specialty in high-rise and hazardous structures (H.H.S.): Electrical inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Electrical inspector with a specialty in industrial and commercial structures (I.C.S.): Electrical inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

iii. Fire protection inspector: Fire protection inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Fire protection inspector with a specialty in high-rise and hazardous structures (H.H.S.): Fire protection inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Fire protection inspector with a specialty in industrial and commercial structures (I.C.S.): Fire protection inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

(3) Fire protection inspector with a specialty in residential and small commercial structures (R.C.S.): Fire protection inspectors R.C.S. are authorized to review plans for structures in class III and to carry out field inspection activities for structures in classes I, II and III. This license will no longer be available after July 31, 1991, and all licenses issued on or before that date shall cease to be valid after July 31, 1993.

iv. Plumbing inspector: Plumbing inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Plumbing inspector with a specialty in high-rise and hazardous structures (H.H.S.): Plumbing inspectors H.H.S. are authorized to review plans and carry out field inspection for structures in classes I, II and III.

(2) Plumbing inspector with a specialty in industrial and commercial structures (I.C.S.): Plumbing inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

v. Inplant inspector: Inplant inspectors are authorized to carry out field inspections and plan review work of premanufactured components pursuant to this subchapter.

vi. Elevator inspector with a specialty in high-rise and hazardous structures (H.H.S.): Elevator inspectors H.H.S. are authorized to review plans and carry out the elevator device inspections, or to witness tests required by this chapter in all structures.

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vii. Mechanical inspector: Mechanical inspectors are authorized to carry out field inspection and plan review work for all work under the mechanical subcode in structures of Group R-3 or R-5. Only a person already holding a valid inspector's license may apply for a mechanical inspector's license.

2. Administrative licenses: In addition to the basic required technical licenses specified in *N.J.A.C. 5:23-5.3(b)1*, a person may apply for the administrative licenses specified herein.

i. Construction official: A construction official is authorized to act as the chief administrator of the enforcing agency as required by *N.J.A.C. 5:23-4.4*.

ii. Building subcode official: A building subcode official is authorized to act as the administrator of the building subcode as required by *N.J.A.C. 5:23-4.4*.

iii. Electrical subcode official: An electrical subcode official is authorized to act as the administrator of the electrical subcode as required by *N.J.A.C. 5:23-4.4*.

iv. Fire protection subcode official: A fire protection subcode official is authorized to act as the administrator of the fire protection subcode as required by *N.J.A.C. 5:23-4.4*.

v. Plumbing subcode official: A plumbing subcode official is authorized to act as the administrator of the plumbing subcode as required by *N.J.A.C. 5:23-4.4*.

vi. Elevator subcode official: An elevator subcode official is authorized to act as the administrator of the elevator safety subcode, as required by *N.J.A.C. 5:23-4.4*.

3. State-jurisdiction licenses: Subject to the requirements of this subchapter, persons may apply for and may be licensed in the following specialties:

i. Amusement rides subcode official: An amusement rides subcode official is authorized to act as an administrator in the enforcement by the Department of the amusement rides subcode;

ii. Amusement ride inspector H.H.S.: An amusement ride inspector H.H.S. is authorized to carry out field inspection, accident investigation and plan review work in the enforcement by the Department of the amusement rides subcode;

iii. Amusement ride inspector I.C.S.: An amusement ride inspector I.C.S. is authorized to carry out field inspection and plan review work in the enforcement by the Department of the amusement rides subcode;

iv. Boiler, pressure vessel and refrigeration subcode official: A boiler, pressure vessel and refrigeration subcode official is authorized to act as an administrator in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

v. Boiler, pressure vessel and refrigeration inspector H.H.S.: A boiler, pressure vessel and refrigeration inspector H.H.S. is authorized to carry out field inspections and

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shop inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

vi. Boiler, pressure vessel and refrigeration inspector I.C.S.: A boiler, pressure vessel and refrigeration inspector I.C.S. is authorized to carry out field inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

vii. Boiler, pressure vessel and refrigeration inspector R.C.S.: A boiler, pressure vessel and refrigeration inspector R.C.S. is authorized to carry out field inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode.

4. Special inspector certifications: Subject to the requirements of this subchapter, persons may apply for and may be certified in the following specialties:

i. Structural welding special inspector: Structural welding special inspectors are authorized to carry out field inspections pursuant to section 1704.3.1 of the building subcode.

ii. Structural steel and bolting special inspector: Structural steel and bolting special inspectors are authorized to carry out field inspections pursuant to sections 1704.3.2 and 1704.3.3 of the building subcode.

iii. Concrete placement special inspector: Concrete placement special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 3, 4, 5, 6, 7, 9, 10 and 11 of the building subcode.

iv. Reinforced concrete special inspector: Reinforced concrete special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 1, 2, 3, 4, 5, 6, 7, 9 and 11 of the building subcode.

v. Prestressed concrete special inspector: Prestressed concrete special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the building subcode.

vi. Structural masonry special inspector: Structural masonry special inspectors are authorized to carry out field inspections pursuant to section 1704.5 of the building subcode.

vii. Spray-applied fireproofing special inspector: Spray-applied fireproofing special inspectors are authorized to carry out field inspections pursuant to section 1704.10 of the building subcode.

viii. Exterior insulation finish system (EIFS) special inspector: EIFS special inspectors are authorized to carry out field inspections pursuant to section 1704.12 of the building subcode.

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§ 5:23-5.4 Licenses required

(a) No person shall be appointed to, or shall hold, the position of construction official or subcode official unless that person has received a license required for that position pursuant to these regulations.

(b) No person shall be appointed to, or shall hold, a technical inspector position in an enforcing agency for which a license requirement has been established by this chapter unless that person has received the license required by these rules for that position.

(c) No person shall act to enforce any special technical provision or article of the rules for which the Commissioner shall have established in N.J.A.C. 5:23-5.3 a requirement for an additional special technical license, unless such person shall have received the required special technical license within one year following the effective date of the requirement for such license.

(d) Enforcing agencies may establish code enforcement trainee positions subject to the following rules:

1. Persons applying for a trainee position with an enforcing agency must be officially registered with the Department of Community Affairs on the form provided by the Licensing Unit of the Bureau of Code Services prior to being hired as a trainee.

i. Trainees shall renew their registration yearly and shall notify the Department of Community Affairs, Bureau of Code Services, Licensing Unit, of any change in employment status or address within one month of the change.

ii. A nonrefundable processing fee of \$ 20.00 is required for the initial Trainee Registration Request and for each subsequent renewal request.

2. Persons meeting the following experience requirements shall be eligible to register as trainees:

i. Fire protection inspector trainee--a minimum of one year of experience in the fire service (other than as an apprentice or person in training) with fire prevention, fire protection or firefighting responsibilities, or with one year experience in building construction as a journeyman, contractor, or design draftsman relative to the fire protection subcode.

ii. Building inspector trainee--a minimum of one year of experience in building construction as a journeyman, inspector, contractor or design draftsman relative to the building subcode.

iii. Plumbing inspector trainee--a minimum of one year of experience as a journeyman plumber, contractor or design draftsman relative to the plumbing subcode.

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iv. Electrical inspector trainee--a minimum of one year of experience as a journeyman electrician, contractor or design draftsman relative to the electrical subcode.

v. Persons who have graduated from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess an associate's degree in code enforcement, or have a current New Jersey registration/license as an architect or engineer shall be exempt from the experience requirement for trainee employment.

3. Trainees shall be evaluated by their supervisors on a quarterly basis. This evaluation shall include a brief description of the trainee's code enforcement activities and an assessment of the trainee's performance in these activities. Trainees who receive satisfactory evaluation ratings by their supervisors and who occupy enforcing agency trainee positions while registered with the Department may use the trainee experience toward satisfying the experience requirement for licensure in accordance with this subchapter. The effective date of the trainee experience begins at the time the person is hired as a registered trainee by an authorized agency.

4. The following conditions apply to work performed by a trainee:

i. Trainees may perform inspections required by *N.J.A.C. 5:23-2.18* only under the direct supervision of an official or inspector licensed in the subcode area in which the trainee position has been approved. The licensed supervisor must be on site with the trainee during the performance of all required inspections.

ii. Trainees may perform an inspection of a singular specific point on a project, or a repetitive singular specific point on one or more projects, if directed to do so by a licensed supervisor where no code interpretation is required. In any such case, the inspection report shall be completed and signed by the trainee and reviewed and countersigned by the licensed supervisor.

iii. Trainees shall not act as subcode or construction officials or sign any permits, stickers, approved plans or inspection reports except as otherwise permitted by (d)5i and ii above.

5. The supervisor of the trainee shall possess a valid code enforcement license in the same subcode as the registered trainee working under his or her direct supervision.

i. A qualified licensed inspector shall not supervise more than one trainee.

ii. Failure of a supervisor to properly oversee a registered trainee in accordance with the provisions of the rules may result in disciplinary action against the supervisor.

6. To remain employed by an enforcing agency, a trainee must enroll in, and successfully complete, the appropriate approved course within two years of the effective

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date of his or her employment. Trainees who fail to successfully complete the appropriate course within two years of the effective date of their employment shall not be permitted to renew their registration until successful completion is achieved.

7. To remain employed by an enforcing agency, a trainee must pass the appropriate modules of the National Certification Test in his specific code area within two years of the effective date of employment.

(e) Enforcing agencies may establish code enforcement intern positions subject to the following:

1. Persons applying for an intern position with an enforcing agency must be officially registered in accordance with this subchapter with the Department of Community Affairs on the form provided by the Licensing Unit of the Bureau of Code Services prior to being hired as an intern.

i. Interns shall renew their registration yearly and shall notify the Department of Community Affairs, Bureau of Code Services, Licensing Unit within one month of any change in employment status prior to accepting any new position and of any change of address.

ii. A nonrefundable processing fee of \$ 20.00 is required for the initial Intern Registration Request and for each subsequent renewal request.

2. Persons meeting the following requirements shall be eligible to be employed as interns:

i. Fire protection inspector intern: possession of an associate degree in code enforcement with a major in the fire protection subcode;

ii. Building inspector intern: possession of an associate degree in code enforcement with a major in the building subcode area;

iii. Plumbing inspector intern: possession of an associate degree in code enforcement with a major in the plumbing subcode area; and

iv. Electrical inspector intern: possession of an associate degree in code enforcement with a major in the electrical subcode area.

3. Interns shall be evaluated by their supervisors on a quarterly basis.

i. The evaluation must include a brief description of the intern's code enforcement activities and an assessment of the intern's performance in these activities.

ii. Interns who receive satisfactory evaluation ratings from their supervisors and who occupy enforcing agency intern positions while registered with the Department may use the intern experience toward satisfying the experience requirement for licensure.

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iii. The period of intern experience begins at the time a person is hired as a registered intern by an authorized agency.

4. The following conditions apply to work performed by interns:

i. Interns may perform all inspections allowed for a trainee as described in (d)5i and ii above.

ii. In addition, with the written approval of an intern's supervisor, the intern may perform the following types of inspections without the supervisor being present during the inspection:

(1) Reinspections of previously failed documented inspections for one and two family dwellings;

(2) Footing inspections as described in *N.J.A.C. 5:23-2.18(b)1i(1)* for one and two family dwellings (building inspector interns with written approval of their supervisors only).

iii. An intern shall not act as a subcode or construction official nor sign any permits, stickers, approved plans or inspection reports, except as permitted in (e)4i and ii above.

5. The supervisor of the intern must possess a valid code enforcement license in the same subcode as the registered intern working under his or her supervision.

i. A qualified licensed inspector shall not supervise more than one intern.

ii. Failure of a supervisor to properly oversee a registered intern in accordance with the provisions of this subsection may result in disciplinary action against the supervisor.

iii. The supervisor must complete the quarterly reports and keep a written file on the progress of the intern. This file must include written authorization to perform inspections as listed in *N.J.A.C. 5:23-5.4(e) 4*. At the end of one year of full time internship, the supervisor shall forward notice to the Department of Community Affairs, Bureau of Code Services, Licensing Unit of successful completion of the internship. If the internship is not for a full year, or is part time, that time may also be documented.

6. To remain employed by an enforcing agency, an intern must pass the appropriate module(s) of the National Certification Test in his or her specific code area within one year of the effective date of employment.

(f) Effective November 6, 2008, special inspectors shall be certified in accordance with the administrative provisions of the Uniform Construction Code. No person shall act as a special inspector to enforce any provision of the building subcode for which this chapter has established a certification requirement unless that person has received the certification required by these rules for that specialty.

(g) Violations:

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1. It shall be a violation of these regulations for any construction or subcode official or technical inspector to represent himself or herself to be qualified for a position that the person does not currently hold, or to use a title or otherwise represent himself to be qualified for a position that the person does not currently hold, or to use a title or otherwise represent himself as licensed or authorized to act under the code if that person does not possess the required license. In addition to any other remedy available under law, such shall be deemed a violation of this section subject to penalty of not more than \$ 500.00 for each offense.

2. It shall be a violation of these rules for any person to hold or perform the duties of an office for which a license is required herein, or for any person to represent himself or herself as qualified for such position, or to use any title or otherwise represent himself or herself as licensed or authorized to act under the code if the person does not possess that license. In addition to any other remedy available under law, such action shall be deemed a violation of this section and subject to a penalty of not more than \$ 500.00 for each offense.

3. It shall be a violation of these rules in the case of construction and subcode officials and technical inspectors for any enforcing agency, including private on-site inspection and plan review agencies, to offer employment to or to retain for employment any person who is not licensed in accordance with these rules if such person has not been previously and continuously employed by such agency. Further, it shall be a violation of these rules for an enforcing agency to continue an individual in employment in a position for which a license is required pursuant to these rules, or to hire an individual for such a position, if such person is not licensed in accordance with this subchapter. Violation of this section shall be deemed a failure to perform within the meaning of *N.J.A.C. 5:23-4.3(f)*, and the Department may exercise the remedies provided therein.

4. It shall be a violation of the State Uniform Construction Code Act for any agency of the State of New Jersey, which is charged with enforcing agency responsibilities pursuant to the act or these rules, to fail to comply with paragraphs 1, 2 and 3 of this subsection.

§ 5:23-5.5 General license requirements

(a) A candidate for a license of any type issued pursuant to this subchapter shall submit an application to the Licensing Unit, Bureau of Code Services, accompanied by the required nonrefundable application fee established in *N.J.A.C. 5:23-5.22*. The application shall include such information and documentation as the Commissioner may require pursuant to this subchapter.

(b) After receipt of the required nonrefundable fee, the Department shall determine, by examination of the application and review of the supporting documents, including

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substantial evidence of acceptable experience, successful test results, training and/or education submitted, whether an applicant is qualified for a license of the type and specialty for which the application has been made. If the application is satisfactory, the Commissioner shall issue a license to the applicant. This license will show that the person has met the established requirements and is eligible to be employed in this State in accordance with the provisions of this chapter.

1. The Commissioner may deny or refuse to issue a license to an applicant if the application is incomplete or upon proof that there has been any act or omission which would constitute grounds for revocation under this subchapter, or if an application was denied within the prior three years by reason of any act or omission that would constitute grounds for revocation.

2. Upon receipt of an incomplete application, the non-refundable application fee shall be collected and a letter of acknowledgment forwarded to the applicant setting forth the manner in which the application is incomplete.

3. The applicant shall submit a complete application within 18 months of receipt of the letter of acknowledgment. If a complete application is not submitted within the 18 month period, the application shall be deemed abandoned, no further action shall be taken on it by the Department and a new application and non-refundable fee shall be required if the applicant desires to reapply.

4. Only test results for test modules passed within three years prior to, or at the time of, application shall be accepted toward fulfilling the requirement for the license sought.

5. Only those approved courses completed within a five-year period immediately preceding the time of application for a license shall be considered acceptable toward fulfilling the requirements for the technical or administrative license sought.

i. Persons who have completed an approved course shall be eligible for tuition reimbursement when funds for such reimbursement are available; provided, however, that persons who repeat a course for any reason, and have previously received tuition reimbursement for the course, shall not again be eligible for reimbursement for that course.

6. No credit shall be given by the Department for any experience not involving the construction or alteration of buildings, or its equivalent, as determined by the Department.

7. No credit shall be given by the Department for any journeyman experience unless documentation of the completion of a formal or informal apprenticeship program, or its equivalent, as determined by the Department, is provided. In general, the Department makes reference to the U.S. Department of Labor's National Apprenticeship Program for assigning the length of time required to complete an apprenticeship program in a given trade.

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8. Credit for part-time work experience shall be given by the Department on a proportional basis. The Department has established a 35-hour work-week as the standard full time equivalent. No additional credit will be given for hours in excess of 35 per week, regardless of any amount of overtime which an applicant claims to have worked.

(c) A person licensed by the Department on the basis of having had a license, tenure or permanent civil service status prior to January 1, 1978 who subsequently loses his or her license as a result of revocation or of failure to renew within three years of lapsing must reapply for licensure under the requirements in effect at the time of reapplication.

(d) Special provisions:

1. An applicant who is licensed as a building inspector, electrical inspector, fire protection inspector or plumbing inspector shall be eligible for licensure as an inspector at the same level or lower in any other subcode, other than the elevator safety subcode or a State-jurisdiction subcode, upon satisfactory completion of the approved educational program, if applicable, and the examination for licensure as an inspector in that other subcode, provided that the applicant has at least the number of years experience required for that other subcode inspector's license.

2. An applicant licensed as an inspector may apply for a mechanical inspector's license to perform mechanical inspections in structures of Group R-3 or R-5.

3. An applicant who is licensed as an elevator inspector and who holds valid certification by the National Association of Amusement Ride Safety Officials (NAARSO) as a Level I (Basic) Inspector shall be eligible to be licensed as an amusement ride inspector I.C.S.

§ 5:23-5.6 Construction official requirements

(a) A candidate for a license as a construction official shall meet the following qualifications:

1. Possession of the qualifications established for at least one of the following subcode official licenses: building, fire protection, electrical, plumbing or elevator; provided, however, that any person qualified as a fire protection subcode official must also have experience for the applicable period of time specified by *N.J.S.A. 52:27D-126b*; and

2. Successful completion of an approved construction official educational program as required by *N.J.A.C. 5:23-5.20* prior to application.

3. A provisional license shall be issued to any person provided that such person is licensed or is simultaneously licensed as a subcode official. Such person shall have

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successfully completed the educational program required herein within 24 months of issuance of the provisional license.

§ 5:23-5.7 Subcode official requirements

(a) A candidate for a license as a building, electrical, fire protection, plumbing or elevator subcode official shall meet the following qualifications:

1. Possession of the qualifications established herein for a technical inspector license in at least the same specialty as the subcode official license being applied for; and

2. Successful completion of an approved subcode official educational program as established in *N.J.A.C. 5:23-5.20* prior to, or at the time of, application; and

3. Completion of such additional experience in the subcode of qualification as may be required, beyond that needed for licensure as a technical inspector, to provide at least the following total experience:

i. Ten years in construction, design or supervision as a journeyman in a skilled construction trade currently regulated by the Uniform Construction Code; or 10 years as a technical inspector; or 10 years as a construction contractor in a field of construction currently regulated by the construction code; or

ii. Five years of experience in construction, design or supervision in building construction work, provided that such persons possess, prior to this experience, at least a bachelor's degree from an accredited institution of higher education in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction; or

iii. Three years of experience in construction, design or supervision as a licensed engineer or registered architect, provided that such person possess a license as an engineer or architect issued by the State of New Jersey at the time of application.

4. Exceptions to experience requirements follow:

i. A candidate for a license as a fire protection subcode official shall possess at least the following experience:

(1) Three years of experience as a fire prevention official; or

(2) Three years of experience as a fire protection official; or

(3) Three years of experience as a firefighter.

ii. A candidate for a license as a building, plumbing or electrical subcode official who obtained the technical license in that subcode area under the provisions of *N.J.A.C. 5:23-5.5(d)1* shall possess the following experience:

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- (1) Three years of experience as an inspector in that specific subcode area; or
- (2) Three years of experience in a skilled trade directly related to that specific subcode area; or
- (3) Two years of experience in that specific subcode area as an inspector or in construction, design or supervision with at least a bachelor's degree from an accredited institution of higher education in architecture or engineering or in architecture or engineering technology or in a major area of study directly related to building construction; or
- (4) One year of experience in that specific subcode area as an inspector or in construction, design or supervision as a licensed engineer or registered architect, provided that such person possesses a license as an engineer or architect issued by the State of New Jersey at the time of application.

5. A provisional license shall be issued to any person who possesses the required experience listed above provided that such person is licensed or is simultaneously licensed as a technical inspector in the same subcode area. Such person shall have successfully completed the educational program required herein within 24 months of issuance of the provisional license.

6. A person who is already licensed as a fire protection subcode official must have the total years of experience as described in (a)3 above to satisfy the experience requirement for any other subcode official license.

(b) A candidate for a license as a State-jurisdiction subcode official shall hold an H.H.S. level license in the State-jurisdiction subcode of licensure and shall meet the requirements of (a)2 and 3 above.

§ 5:23-5.8 Building inspector H.H.S. requirements

(a) A candidate for a license as a building inspector H.H.S. shall meet one of the following educational and/or experience requirements:

1. Seven years of experience consisting of one of the following, or a combination thereof:

- i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the building subcode; or
- ii. Experience as a building or housing inspector; or
- iii. Experience as a construction contractor in a field of construction currently regulated by the building subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in

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any other major area of study significantly related to building construction, and two years of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the building subcode; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education, and three years of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the building subcode; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a building inspector H.H.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for building inspector H.H.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer shall be exempted from the educational program requirements for building inspector H.H.S.

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

3. Possession of, or eligibility for, the building inspector I.C.S. license.

§ 5:23-5.9 Building inspector I.C.S. requirements

(a) A candidate for a license as a building inspector I.C.S. shall meet one of the following educational and/or experience requirements:

1. Five years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the building subcode; or

ii. Experience as a building or housing inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the building subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology or in any other major area of study significantly related to building construction, and one year of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the building subcode; or

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3. Possession of an associate degree in code enforcement from an accredited institution of higher education and two years of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the building subcode; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a building inspector I.C.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for building inspector I.C.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for building inspector I.C.S.

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

3. Possession of, or eligibility for, the building inspector R.C.S. license.

§ 5:23-5.10 Building inspector R.C.S. requirements

(a) A candidate for a license as a building inspector R.C.S. shall meet one of the following educational and/or experience requirements:

1. Three years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the building subcode; or

ii. Experience as a building or housing inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the building subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education, and one year of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the building subcode; or

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4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a building inspector R.C.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for building inspector R.C.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for building inspector R.C.S.; and

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

§ 5:23-5.11 Electrical inspector H.H.S. requirements

(a) A candidate for a license as an electrical inspector H.H.S. shall meet one of the following educational and/or experience requirements:

1. Seven years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the electrical subcode; or

ii. Experience as an electrical inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the electrical subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, and two years of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the electrical subcode; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education and three years of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the electrical subcode; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

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(b) A candidate for a license as an electrical inspector H.H.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for electrical inspector H.H.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or in engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for electrical inspector H.H.S.; and
2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.
3. Possession of, or eligibility for, the electrical inspector I.C.S. license.

§ 5:23-5.12 Electrical inspector I.C.S. requirements

(a) A candidate for a license as an electrical inspector I.C.S. shall meet one of the following educational and/or experience requirements.

1. Five years of experience consisting of one of the following, or a combination thereof:
 - i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the electrical subcode; or
 - ii. Experience as an electrical inspector; or
 - iii. Experience as a construction contractor in a field of construction currently regulated by the electrical subcode; or
2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, and one year of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the electrical subcode; or
3. Possession of an associate's degree in code enforcement from an accredited institution of higher education, and two years of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the electrical subcode; or
4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a electrical inspector I.C.S. shall also meet the following requirements:

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1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for electrical inspector I.C.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for electrical inspector I.C.S.; and

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

§ 5:23-5.13 Fire protection inspector H.H.S. requirements

(a) A candidate for a license as a fire protection inspector H.H.S. shall meet one of the following educational and/or experience requirements:

1. Seven years of experience consisting of one of the following, or a combination thereof:

i. Experience in the fire service (other than as an apprentice or as a person in training), with fire prevention, fire protection or firefighting responsibilities; or

ii. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the fire protection subcode; or

iii. Experience as a construction contractor in a field of construction currently regulated by the fire protection subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in fire science or fire science technology, or in architecture or engineering, or in architectural or engineering technology or in any other major area of study significantly related to building construction or fire science, and two years of subsequent experience in responsibilities regulated by the fire protection subcode and/or experience in the fire service with fire prevention, fire protection or firefighting responsibilities; or

3. Possession of an associate's degree from an accredited institution of higher education in code enforcement, fire science, or fire science technology, and three years of subsequent experience in responsibilities regulated by the fire protection subcode and/or experience in the fire service with fire prevention, fire protection or firefighting responsibilities; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a fire protection inspector H.H.S. shall also meet the following requirements:

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1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for fire protection inspector H.H.S.; provided, however, that persons having an associate's degree in code enforcement, fire science, or fire science technology, or a bachelor's degree in fire science, architecture or engineering, or in architectural, engineering or fire science technology, or in any other major area of study significantly related to building construction or fire science, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for fire protection inspector H.H.S.

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

3. Possession of, or eligibility for, the fire protection inspector I.C.S. license.

§ 5:23-5.14 Fire protection inspector I.C.S. requirements

(a) A candidate for a license as a fire protection inspector I.C.S. shall meet one of the following educational and/or experience requirements:

1. Five years of experience consisting of one of the following, or a combination thereof:

i. Experience in the fire service (other than as an apprentice or as a person in training) with fire prevention, fire protection, or firefighting responsibilities; or

ii. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the fire protection subcode; or

iii. Experience as a construction contractor in a field of construction currently regulated by the fire protection subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in fire science or fire science technology, or in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction or fire science, and one year of subsequent experience in responsibilities regulated by the fire protection subcode and/or experience in the fire service with fire prevention, fire protection or firefighting responsibilities; or

3. Possession of an associate's degree from an accredited institution of higher education in code enforcement, fire science, or fire science technology, and two years of subsequent experience in responsibilities regulated by the fire protection subcode and/or experience in the fire service with fire prevention, fire protection or firefighting responsibilities; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

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(b) A candidate for a license as a fire protection inspector I.C.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for fire protection inspector I.C.S.; provided, however, that persons having an associate's degree in code enforcement, fire science or fire science technology, or a bachelor's degree in fire science, architecture or engineering, or in architectural, engineering or fire science technology, or in any other major area of study significantly related to building construction or fire science, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for fire protection inspector I.C.S.

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

§ 5:23-5.15 Fire protection inspector R.C.S. requirements

Issuance of the fire protection inspector R.C.S. license shall be discontinued after July 31, 1991. All licenses issued on or before that date shall cease to be valid after July 31, 1993.

§ 5:23-5.16 Plumbing inspector H.H.S. requirements

(a) A candidate for a license as a plumbing inspector H.H.S. shall meet one of the following educational and/or experience requirements:

1. Seven years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the plumbing subcode; or

ii. Experience as a plumbing inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the plumbing subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, and two years of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the plumbing subcode; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education, and three years of subsequent experience in the

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construction, design, inspection or supervision of construction work regulated by the plumbing subcode; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a plumbing inspector H.H.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for plumbing inspector H.H.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for plumbing inspector H.H.S.

2. Successful completion of an examination as required by 5:23-5.23.

3. Possession of, or eligibility for, the plumbing inspector I.C.S. license.

§ 5:23-5.17 Plumbing inspector I.C.S. requirements

(a) A candidate for a license as a plumbing inspector I.C.S. shall meet one of the following educational and/or experience requirements:

1. Five years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the plumbing subcode; or

ii. Experience as a plumbing inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the plumbing subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, and one year of subsequent experience in construction, design, inspection or supervision in a field of construction currently regulated by the plumbing subcode; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education, and two years of subsequent experience in the construction, design, inspection or supervision of construction work regulated by the plumbing subcode; or

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4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as a plumbing inspector I.C.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for plumbing inspector I.C.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for plumbing inspector I.C.S.

2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

§ 5:23-5.18 Inplant inspector requirements

(a) A candidate for a license as an inplant inspector shall meet one of the following educational and/or experience requirements:

1. Five years of experience consisting of one of the following, or a combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the building, electrical, fire protection or plumbing subcode, or a combination thereof; or

ii. Experience as a building, electrical, fire protection or plumbing inspector, or a combination thereof; or

iii. Experience as a construction contractor currently regulated by any of the four above enumerated subcodes, or a combination thereof; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in fire science or fire science technology, or in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction or fire science, and three years of subsequent experience in any one or more of the fields regulated by the above enumerated subcodes; or

3. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for a license as an inplant inspector shall have successfully completed examinations as required by *N.J.A.C. 5:23-5.23*.

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§ 5:23-5.19 Elevator inspector H.H.S. requirements

(a) A candidate for a license as an elevator inspector of high-rise and hazardous structures (H.H.S.) shall meet the following educational and/or experience requirements:

1. Seven years of experience consisting of one of the following, or combination thereof:

i. Experience in construction, design or supervision as a journeyman in a skilled trade currently regulated by the elevator subcode;

ii. Experience as an elevator inspector; or

iii. Experience as a construction contractor in a field of construction currently regulated by the elevator subcode; or

2. Graduation from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, and two years of subsequent experience in construction, design, inspection or supervision in a field of construction regulated by the elevator subcode; or

3. Possession of an associate's degree in code enforcement from an accredited institution of higher education and three years of subsequent experience in the construction, design, inspection, or supervision of construction work currently regulated by the elevator subcode; or

4. Possession of a current New Jersey registration/license as an architect or engineer.

(b) A candidate for licensure as an elevator inspector H.H.S. shall also meet the following requirements:

1. Successful completion of an approved educational program meeting the requirements established in *N.J.A.C. 5:23-5.20* for elevator inspector H.H.S.; provided, however, that persons having a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess a current New Jersey registration/license as an architect or engineer, shall be exempted from the educational program requirements for elevator inspector H.H.S. Additionally, any individual who has successfully completed an educational program determined by the Department as equivalent to that established in *N.J.A.C. 5:23-5.20* shall also be exempted from the educational program requirements for elevator inspector H.H.S., provided application for licensure is received by the Department on or before June 30, 1992.

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2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23*.

(c) No person shall work either as an elevator inspector or as a subcode official who does not hold an Elevator Inspector HHS License or an Elevator Inspector Interim License.

1. For an Elevator Inspector Interim License, an applicant shall document that he or she was employed as an elevator inspector on June 30, 1992, provide documentation of any additional relevant experience, and satisfy the educational and examination requirements set forth in (b)1 and 2 above. This license shall be renewable, subject to the requirements of *N.J.A.C. 5:23-5.21*.

i. An Elevator Inspector Interim License with Subcode Official endorsement shall be issued to any applicant for such endorsement who has satisfied the requirements for the Elevator Inspector Interim License; provided that, if the applicant has not successfully completed an approved subcode official educational program, as set forth in *N.J.A.C. 5:23-5.20*, the endorsement shall be issued on a provisional basis, pursuant to *N.J.A.C. 5:23-5.7(a) 5*, and shall be valid for a period of 24 months only.

§ 5:23-5.19A Mechanical inspector requirements

(a) A person validly licensed as an inspector in any subcode may apply for a mechanical inspector's license qualifying such person to perform mechanical inspections in structures of Group R-3 or R-5, if that person successfully completes the examinations required by *N.J.A.C. 5:23-5.23*.

(b) Notwithstanding the three-year time limit set forth in *N.J.A.C. 5:23-5.5(b)4*, results from any of the examinations already successfully completed and currently used for licensure may be submitted at the time of application and, in such case, examinations need not be re-taken.

§ 5:23-5.19B Amusement ride inspector I.C.S. requirements

(a) A candidate for a license as an amusement ride inspector I.C.S. shall meet one of the following educational and/or experience requirements:

1. Three years of experience in the design, manufacture, operation, repair or inspection of carnival-amusement rides; or
2. Graduation from high school and one year of experience in the design, manufacture, operation, repair or inspection of carnival-amusement rides.

(b) A candidate for a license as amusement rides inspector I.C.S. shall have successfully completed an examination as required by *N.J.A.C. 5:23-5.23A*.

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§ 5:23-5.19C Amusement ride inspector H.H.S. requirements

(a) A candidate for a license as an amusement ride inspector H.H.S. shall meet the following experience requirements:

1. Five years of experience in the design, manufacture, operation, repair or inspection of carnival-amusement rides.

(b) A candidate for a license as amusement rides inspector I.C.S. shall have successfully completed an examination as required by *N.J.A.C. 5:23-5.23A*.

§ 5:23-5.19D Boiler, pressure vessel and refrigeration inspector R.C.S. requirements

(a) A candidate for a license as a boiler, pressure vessel and refrigeration inspector R.C.S. meet one of the following experience requirements:

1. Five years of experience as an operator of high pressure boilers;
2. Five years of experience as a boiler maker; or
3. Five years of experience as an insurance inspector of boilers.

(b) A candidate for a license as a boiler, pressure vessel and refrigeration inspector R.C.S. shall have successfully completed an examination as required by *N.J.A.C. 5:23-5.23A*.

§ 5:23-5.19E Boiler, pressure vessel and refrigeration inspector I.C.S. requirements

(a) A candidate for a license as a boiler, pressure vessel and refrigeration inspector I.C.S. shall meet the following experience requirements:

1. Five years as an inspector of high pressure boilers; or
2. Ten years as a grade A (gold seal) or grade B (red seal) operator of high pressure boilers.

(b) A candidate for a license as a boiler, pressure vessel and refrigeration inspector I.C.S. shall also meet the following requirements:

1. Possession for not less than one year of a class 1 grade A (gold seal) operator's license; and
2. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23A*.

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§ 5:23-5.19F Boiler, pressure vessel and refrigeration inspector H.H.S. requirements

(a) A candidate for a license as a boiler, pressure vessel and refrigeration inspector H.H.S. shall meet the following experience requirements:

1. Five years as an inspector of high pressure boilers; or
2. Ten years as a grade A (gold seal) or grade B (red seal) operator of high pressure boilers.

(b) A candidate for a license as a boiler, pressure vessel and refrigeration inspector H.H.S. shall also meet the following requirements:

1. Possession for not less than one year of a class 1 grade A (gold seal) operator's license; and
2. Successful completion of examinations as required by *N.J.A.C. 5:23-5.23A*.

§ 5:23-5.19G Special inspector requirements

(a) A candidate for a structural welding special inspector certification, structural steel and bolting certification, concrete placement special inspector certification, reinforced concrete special inspector certification, prestressed concrete special inspector certification or structural masonry special inspector certification shall meet one of the following educational or experience requirements:

1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in engineering or in engineering technology, or in any other major area of study significantly related to structural engineering; and two years of experience in a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty as indicated on a year-for-year basis;
2. Graduation from an accredited institution of higher learning with a bachelor's degree in engineering or in engineering technology, or in any other major area of study significantly related to structural engineering and one year of experience in a skilled trade directly related to the specific specialty; or
3. Possession of a current New Jersey license as an engineer.

(b) A candidate for a spray-applied fireproofing special inspector certification shall meet one of the following educational or experience requirements:

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1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to fire protection; and two years of experience in a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty as indicated on a year-for-year basis;

2. Graduation from an accredited institution of higher learning with a bachelor's degree in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to fire protection and one year of experience in a skilled trade directly related to the specific specialty;

3. Possession of a current New Jersey license as an engineer; or

4. Licensed as a building inspector with a specialty in high-rise and high hazard structures (H.H.S.) or as a fire protection inspector H.H.S.

(c) A candidate for an exterior insulation finish system (EIFS) special inspector certification shall meet one of the following educational or experience requirements:

1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to construction; and two years of experience in a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty, as indicated, on a year-for-year basis;

2. Graduation from an accredited institution of higher learning with a bachelor's degree in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to construction and one year of experience in a skilled trade directly related to the specific specialty;

3. Possession of a current New Jersey registration/license as an architect or engineer; or

4. Licensed as a building inspector with a specialty in high-rise and high hazard structures (H.H.S.).

(d) A candidate for a special inspector's certification shall also meet one of the following requirements:

1. Successful completion of an examination as required by *N.J.A.C. 5:23-5.23B* where applicable; or

2. Possession of a current New Jersey license as an engineer with one year of experience in the field for which special inspection certification is being sought. The

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experience necessary to meet this requirement may be a portion of the experience required to obtain the professional engineer's license.

§ 5:23-5.20 Standards for educational programs

(a) To carry out their responsibilities, code enforcement officials must be fully knowledgeable about code standards and adequately prepared to administer and enforce them properly. Code enforcement officials have the necessary technical and administrative training to effectively enforce the Uniform Construction Code at the local level. This article adopts explicit guidelines and standards for code enforcement official educational programs. Procedures governing the approval of such educational programs set forth in *N.J.A.C. 5:23-5.24*.

(b) This subsection covers the organizational, administrative and operational functions that support the code enforcement educational programs.

1. Purposes and objectives: Programs for the effective education of code enforcement officials are expected to operate with appropriate purposes and objectives. An institution seeking initial and continuing approval of education programs should include in its category clearly defined statements of such purposes and objectives.

2. Organization: Sound educational programs can be operated effectively only when supported by adequate institutional arrangements. Accordingly, only programs offered by or under the auspices of institutions of higher education, licensed by the New Jersey Commission on Higher Education can be considered for approval.

i. The provisions of (b)2 above notwithstanding, the Commissioner may approve other training programs, such as those conducted by an evaluation or inspection agency authorized to enforce standards adopted pursuant to the Interstate Compact on Industrialized/Modular Buildings, where the students are solely code enforcement officials employed by the agency or by national model code organizations. The educational program proposal by any such evaluation or inspection agency must be submitted to the Department in the form specified in *N.J.A.C. 5:23-5.24*.

3. Admission, retention and evaluation policies and practices:

i. Admission to code enforcement official education programs: Provision should be made within the institution for orderly methods of obtaining and filing information relative to candidates applying for admission to code enforcement official education programs.

ii. Grading: An institution shall have evaluation procedures, including a mid-term and final examination, to assess the quality of its students when they complete programs and, at the very least, establish and apply pass/fail criteria.

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iii. Retention: The nature of professional code enforcement studies calls for achievement and growth in technical competence. An institution should determine as objectively and systematically as possible specific strengths and weaknesses of the student as these effect the continuation of the student in code enforcement education programs.

iv. Evaluation: The institution should design and implement a well-defined plan for continuing evaluation of students enrolled in code enforcement programs. Measures of academic ability, observation by faculty (in courses, laboratories and field experiences) and other modes of appraisal should be utilized to assess specific strengths and weaknesses as they affect the student's retention within the education programs, readiness to assume a professional role in code enforcement.

4. Student personnel:

i. Supporting student services: Each student should know where to secure guidance and who is officially responsible for this program. Attention must be given to a plan for maintaining desirable student-faculty relationships.

ii. Student records: It is the responsibility of the institution to maintain an adequate system of student personnel accounting, including a permanent cumulative record of each student enrolled. To facilitate ready interpretation by licensing authorities, the graduate is entitled to an intelligible and adequate transcript of record, including a statement of course titles.

5. Faculty: Faculty members should be competent in their fields and have contacts with code enforcement environments and other sources so their teaching and research are current and relevant.

i. Faculty competence: The quality of the faculty is one of the more important factors in judging the effectiveness of an institution. Appraisal of the faculty should be made in terms of its competence to provide the program for which approval is being sought. Each faculty member, in subject matter and in professional fields, should have a high degree of competency in his area. The faculty consists of those instructors who teach in the curriculums and all personnel who direct students in all types of activities included as part of the curriculums. Those who teach courses should be familiar with practices in the code enforcement professional and/or building construction technology generally.

ii. Part-time faculty: The institution, recognizing that an appropriate faculty is one of the major determinants of the quality of its educational programs, should make provision for the use of part-time or adjunct faculty.

(1) No individual who has ever had a license suspended for a period of six months or more or has ever had a licensed revoked for any reason set forth in *N.J.A.C. 5:23-5.25* shall be eligible to instruct code enforcement educational programs.

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iii. Instruction: The institution will be expected to evaluate instruction systematically based on the performance of its students within the institution. Consideration will be given to such items as the performance of the student in class tests, the quality of their subsequent work, and the degree to which the institution as a whole attains its goals in the preparation of code enforcement personnel. The institution should show that it utilizes a variety of appropriate instructional procedures which contribute to the effectiveness of the student's preparation, such as class discussions, lectures, laboratory work, and newer media.

6. Facilities and instructional materials: The institution shall provide physical facilities, instructional materials and other resources essential for conducting education programs.

i. Building and grounds: An institution should have a physical plant designed to serve effectually its defined purposes for education.

ii. Library: The library, as the principal materials resource center of the institution, should be adequate for the instructional research and other services pertinent to the code enforcement educational programs.

iii. Laboratories: Each institution should be provided with laboratory equipment sufficient for instructional purposes for each program offered.

iv. Inspection experiences: Each institution should establish a field experience center or centers either as part of the institution or in cooperation with nearby code enforcement agencies. These may be organized for field inspection experiences.

(c) All courses for credit toward a code enforcement official license should be designed to meet the following general standards:

1. Standard I, Institutional responsibility: Each institution is responsible for developing its code enforcement courses within the general policies relating to education and licensure of code enforcement officials in the State.

2. Standard II, Statement of objectives: Each course should be built upon a clear-cut statement of its purpose and objectives. These statements should be prepared by the instructors concerned, should be based on analysis of current practices and recommendations of the professional organizations representing this field, and should be available in writing.

3. Standard III, Statement of competencies: Each code enforcement course should be built on a clearly formulated statement of the competencies needed in the area.

4. Standard IV, Evaluation and recommendation of the student: Each course should include provision for a systematic program of evaluation procedures to determine the degree of the student's attainment of competency. These evaluation procedures should serve as the basis for recommending the student for credit toward the appropriate license.

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5. Standard V, Supporting facilities and schedule: Each course should be supported by plant, facilities, equipment, library, and media resources and should include opportunities for field or laboratory experiences. Meeting-time adequate to implement a schedule course, including appropriate field and laboratory experiences, should be provided.

6. Standard VI, Staff: Each course should be staffed by instructors well-qualified by training and experience in the subject matter of the particular course area.

(d) Building inspector R.C.S.: The program designed to satisfy the educational requirements for licensure as a building inspector R.C.S. shall consist of a minimum of 90 hours of instruction in the following subject areas. The program shall provide instruction in the following technical and administrative areas with the specified texts as they apply to the plan review of class III buildings and the inspection of all structures as established at N.J.A.C. 5:23-3.

1. Area 1 shall consist of the following:

- i. Administration (N.J.A.C. 5:23-2);
- ii. Subcodes (N.J.A.C. 5:23-3);
- iii. An overview of the New Home Warranty Program (*N.J.A.C. 5:25*); and
- iv. Legal and ethical aspects of code enforcement.

2. Area 2 shall consist of the building provisions of the one and two-family dwelling code adopted at N.J.A.C. 5:23-3, as follows:

- i. Definitions;
- ii. Building planning;
- iii. Foundations;
- iv. Floors;
- v. Wall construction;
- vi. Wall covering;
- vii. Roof-ceiling construction;
- viii. Roof coverings; and
- ix. Chimneys and fireplaces.

3. Area 3 shall consist of the mechanical provisions of the one and two-family dwelling code adopted at N.J.A.C. 5:23-3, as follows:

- i. Definitions;

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- ii. General mechanical system requirements;
- iii. Vented floors and heaters;
- iv. Exhaust systems;
- v. Duct systems;
- vi. Chimneys and vents; and
- vii. Special fuel burning equipment.

4. Area 4 shall consist of the building subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Use groups;
- ii. Construction types;
- iii. General building limitations;
- iv. Structural loads;
- v. Foundation and retaining walls;
- vi. Concrete;
- vii. Masonry;
- viii. Wood;
- ix. Steel;
- x. Roof and roof structures;
- xi. Exterior wall coverings;
- xii. Glass and glazing;
- xiii. Fire resistant materials and construction;
- xiv. Interior finishes;
- xv. Gypsum board and plaster;
- xvi. Interior environment;
- xvii. Means of egress; and
- xviii. Special use and occupancy.

5. Area 5 shall consist of the mechanical subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Air distribution;

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- ii. Chimneys and vents;
- iii. Fireplaces; and
- iv. Ventilation.

6. Area 6 shall consist of the Rehabilitation Subcode (N.J.A.C. 5:23-6), including:

- i. Scoping;
- ii. Mixed uses;
- iii. Special technical requirements, all uses;
- iv. Change of use;
- v. Additions; and
- vi. Historic buildings.

7. Area 7 shall consist of the Barrier Free Subcode (*N.J.A.C. 5:23-7*).

8. Area 8 shall consist of the Radon Subcode (N.J.A.C. 5:23-10);

9. Area 9 shall be field and laboratory experience which shall include the following:

- i. The review of plans for a class III building using a model checklist; and
- ii. The inspection of a structure using a model checklist.

10. The texts to be used in the building inspector R.C.S. program shall include, but not be limited to, the model codes adopted at N.J.A.C. 5:23-3 as the building subcode, the one-and two-family dwelling subcode, and the mechanical subcode, the Uniform Construction Code Act (*N.J.S.A. 52:27D-119 et seq.*), and the Uniform Construction Code rules (*N.J.A.C. 5:23*).

(e) Building inspector I.C.S.: The program designed to satisfy the educational requirements for licensure as a building inspector I.C.S. shall consist of a minimum of 75 hours of instruction in the following areas. The program shall provide instruction in the following technical areas with the specified texts as they apply to the plan review of class II buildings and the inspection of class I and II buildings as established at N.J.A.C. 5:23-3.

1. Completion of an educational program meeting the requirements for building inspector R.C.S. shall be a prerequisite for registration in the educational program for building inspector I.C.S.

2. Area 1 shall consist of the building subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Use groups;

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- ii. Construction types;
- iii. Special use and occupancy;
- iv. General building limitations;
- v. Structural loads, including:
 - (1) Wind loading;
 - (2) Snow loads; and
 - (3) Seismic loads;
- vi. Foundation and retaining walls;
- vii. Concrete;
- viii. Masonry;
- ix. Wood;
- x. Steel;
- xi. Elevators and conveying systems;
- xii. Special construction;
- xiii. Roofs and roof structures;
- xiv. Fire protection systems;
- xv. Exterior wall coverings;
- xvi. Glass and glazing;
- xvii. Fire resistant materials and construction;
- xviii. Interior finishes;
- xix. Gypsum board and plaster;
- xx. Interior environments; and
- xxi. Means of egress.

3. Area 2 shall consist of the mechanical subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Air distribution;
- ii. Chimneys and vents; and
- iii. Ventilation.

4. Area 3 shall consist of the Uniform Construction Code, as follows:

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- i. Administration (at N.J.A.C. 5:23-2);
- ii. Subcodes (N.J.A.C. 5:23-3);
- iii. Rehabilitation Subcode (N.J.A.C. 5:23-6), including:
 - (1) Scoping;
 - (2) Mixed uses;
 - (3) Special technical requirements, all uses;
 - (4) Change of use;
 - (5) Additions; and
 - (6) Historic buildings; and
- iv. Barrier Free Subcode (N.J.A.C. 5:23-7).

5. Area 4 shall consist of the following field and laboratory experience:

- i. The review of plans for a Class II structure using a model checklist;
- ii. The inspection of a Class II structure using a model checklist; and
- iii. An overview of standard forms (N.J.A.C. 5:23-4.5).

6. The texts to be used in the building inspector I.C.S. program shall include, but not be limited to, the model codes adopted at N.J.A.C. 5:23-3 as the building subcode and mechanical subcode, the Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.), and the Uniform Construction Code rules (N.J.A.C. 5:23).

(f) Building inspector H.H.S.: The program designed to satisfy the educational requirements for licensure as a building inspector H.H.S. shall consist of a minimum of 60 hours of instruction in the following technical and administrative areas with the specified texts as they apply to the plan review of class I structures and the inspection of all structures as established at N.J.A.C. 5:23-3.

1. Completion of an educational program meeting the requirements for building inspector I.C.S. shall be a prerequisite for registration in the educational program for building inspector H.H.S.

2. Area 1 shall consist of the building subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Use groups;
- ii. Construction types;
- iii. Special use and occupancy, including:
 - (1) Covered malls;

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- (2) High rise buildings;
- (3) Hazardous production materials (HPM) facilities;
- (4) Hazardous materials; and
- (5) Use Group H (Hazardous);
- iv. General building maintenance;
- v. Structural loads, including:
 - (1) Wind loading;
 - (2) Seismic loads; and
 - (3) Snow loads;
- vi. Foundation and retaining walls;
- vii. Concrete;
- viii. Masonry;
- ix. Wood;
- x. Steel;
- xi. Elevators and conveying systems;
- xii. Special construction;
- xiii. Roofs and roof structures;
- xiv. Fire protection systems;
- xv. Exterior wall coverings;
- xvi. Glass and glazing;
- xvii. Fire resistant materials and construction;
- xviii. Interior finishes;
- xix. Gypsum board and plaster;
- xx. Interior environments; and
- xxi. Means of egress.

3. Area 2 shall consist of the mechanical subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Air distribution; and
- ii. Ventilation.

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4. Area 3 shall consist of the following:

- i. Administration (*N.J.A.C. 5:23-2*);
- ii. Subcodes (*N.J.A.C. 5:23-3*);
- iii. Rehabilitation Subcode (*N.J.A.C. 5:23-6*), including:
 - (1) Scoping;
 - (2) Basic and supplemental requirements of Use Groups B, M, R, and S;
 - (3) Mixed uses;
 - (4) Special technical requirements, all uses;
 - (5) Additions; and
 - (6) Historic buildings; and
- iv. Barrier Free Subcode (*N.J.A.C. 5:23-7*);

5. Area 4 shall consist of the following field and laboratory experience:

- i. The review of plans for a Class II structure using a model checklist;
- ii. The inspection of a Class II structure using a model checklist; and
- iii. An overview of the standard forms (*N.J.A.C. 5:23-4.5*).

6. The texts to be used in the building inspector H.H.S. program shall include, but not be limited to, the model codes adopted at *N.J.A.C. 5:23-3* as the building subcode and mechanical subcode, the Uniform Construction Code Act (*N.J.S.A. 52:27D-119 et seq.*), and the Uniform Construction Code rules (*N.J.A.C. 5:23*).

(g) Electrical inspector I.C.S.: The following standards apply to programs designed to satisfy the educational program requirements for licensure as an electrical inspector I.C.S.

1. Subject requirements:

- i. The program shall consist of two major subjects as specified below and shall provide at least 30 hours of instruction in each subject.
- ii. It shall ensure technical competencies in the following as they apply to class II and class III structures as established in subchapter 3 of these regulations.

2. Subject 1, Systems design:

- i. Electrical service sizing and design to ensure adequate electrical service.

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ii. Branch circuit and feeder design including conductor sizing and over-current protection requirements for the various types of circuits, including general lighting and power, appliance and motor circuits, switchboard and panelboard systems.

iii. Requirements for special fixtures, methods and devices required by the code in particular circumstances.

3. Subject 2, Plan review and field inspection:

i. Area 1, Uniform Construction Code:

(1) Organization and content of the Uniform Construction Code regulations and organization and content of the electrical subcode.

(2) Fundamental knowledge of electrical subcode's background, purpose, history, place in local government structure and relation to construction code enforcement programs at other levels of government.

(3) Basic classification of structures into class categories.

ii. Area 2, Plan review:

(1) Methods of systematic plans analysis. Identification of information that must be shown on the plans to insure compliance with the requirements of the code.

(2) Material requirements found in the code, including the ability to recognize approved material and standards and test methods which lead to such approval.

iii. Area 3, Field inspection:

(1) Proper installation methods for all approved materials leading to an ability to ensure that all materials are installed in accordance with proper methods.

(2) Basic inspection report writing including the preparation of violation notices and required inspection record keeping.

4. The texts used in teaching this course shall include, but not be limited to, the National Electrical Code (NEC).

(h) Electrical inspector H.H.S.: The following standards apply to programs designed to satisfy the educational program requirements for licensure as an electrical inspector H.H.S.

1. Prerequisites: Completion of an educational program meeting the requirements for electrical inspector I.C.S.

2. Subject requirements: The program shall consist of one major subject as specified below and shall provide at least 45 hours of instruction in this subject. It shall ensure technical competencies in the following as it applies and class I and all other structures as established in N.J.A.C. 5:23-3.

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i. Subject 1, Advanced electrical systems design: The procedures, methods and calculations necessary to check the design, material, and installation practices for the more complex systems which characterize class I buildings, with particular attention being paid to the hazardous uses identified in chapter 3 of the building subcode and the hazardous (classified) locations identified in the electrical subcode.

3. The texts used in this course shall include, but not be limited to, the National Electrical Code (NEC).

(i) Fire protection inspector I.C.S.: The following standards apply to programs designed to satisfy the educational program requirements for licensure as a fire protection inspector I.C.S.

1. Subject requirements: The program shall consist of two major subjects as specified below and shall provide at least 60 contact hours of instruction in each subject. It shall ensure technical competencies in the following subjects as they apply to class II and class III as established in N.J.A.C. 5:23-3.

2. Subject 1, Plan review and field inspection:

i. Area 1, Uniform Construction Code:

(1) Organization and content of the Uniform Construction Code, *N.J.A.C. 5:23*; organization and content of the fire protection subcode.

(2) Fundamental knowledge of the fire protection subcode's background purpose, history, place in local government structure and relation to construction code enforcement programs at other levels of government.

(3) Basic classification of structures into class categories.

ii. Area 2, Systems design: Systems design and installation practices required by the Uniform Construction Code and/or its referenced standards for active and passive fire suppression; understanding of fire detection and fire alarm systems sufficient to permit the review of plans to determine the adequacy of the systems.

iii. Area 3, Plan Review:

(1) Basic fire protection requirements; height and area limitations; fire resistance ratings of structural components; arrangement, sizing and protection of means of egress; flame spread and smoke generated requirements; combustibility of materials; and requirements for installation of fire detection; alarm and suppression systems; chimneys, flues and vents; and heating equipment and appliances.

(2) Methods of systematic plans analysis: The information pertaining to structural, architectural, mechanical, fire protection and electrical features of a building that must be shown on the plans to ensure compliance with the requirements of the Uniform Construction Code.

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(3) Analysis methods needed to ensure that fire protection elements of buildings depicted on plans do in fact conform to code requirements.

iv. Area 4, Materials: Testing methods, agencies and test verification procedures incorporated in the code for combustibility, flame spread, and smoke generation requirements and fire resistance ratings.

3. Subject 2, Fire protection systems:

i. Area 1, Fire protection:

(1) Systems design and installation practices required by the code and/or its referenced standards for active and passive fire suppression; fire detection and fire alarm systems sufficient to permit the adequacy of systems designed to be checked through plan reviews and field inspections.

ii. Area 2, Electrical installations:

(1) An understanding of the material requirements found in the electrical code, including the ability to recognize approved material and an understanding of the standards and test methods which lead to such approval.

(2) An understanding of the proper installation methods of all approved materials, leading to an ability to ensure that all materials are installed in accordance with proper methods.

iii. Area 3, Fire prevention:

(1) The relationship of fire prevention codes that regulate the use and occupancy of buildings and fire protection codes that regulate their construction; the fire prevention code provisions; enforcement procedures and objectives including the protection of places of assembly; the fire prevention code and its enforcement that will ensure an understanding of the manner in which those fire hazards not regulated by the construction code can be regulated in the interest of public safety and fire protection generally.

iv. Area 4, Field inspection:

(1) The use of basic inspection tools and test methods.

(2) The construction process and the points at which inspections must be made.

(3) Field inspection and controlled inspection techniques necessary to ensure that the materials installed at the construction site are of the same strength and quality as assumed by the design calculations and that they are installed in the manner required to achieve and preserve that strength.

(4) Basic inspection report writing, including the preparation of violation notices and required inspection record keeping.

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4. The texts used in teaching this course shall include, but are not limited to, the BOCA National Building Code, the BOCA National Mechanical Code, the CABO One & Two Family Dwelling Code, National Electrical Code (NEC) and the National Standard Plumbing Code.

(j) Fire protection inspector H.H.S.: The following standards apply to programs designed to satisfy the educational program requirements for a license as a fire protection inspector H.H.S.

1. Prerequisites: Completion of an educational program meeting the requirements for fire protection inspector I.C.S.

2. Subject requirements: The program shall consist of one major subject as specified below and shall provide at least 60 contact hours of instruction. It shall ensure technical competencies in the following areas as they apply to class I and all other structures as established in N.J.A.C. 5:23-3.

3. Subject 1, Advanced fire protection requirements and plan review techniques:

i. Area 1, Fire protection requirements: Material requirements established by the code including testing and listing procedures, an understanding of test methods, an ability to read, understand and interpret test reports for both active and passive fire protection requirements of systems of the type required to be incorporated in class I buildings.

ii. Area 2, Plan review:

(1) Code requirements related to fire divisions in buildings exceeding the height and area limitations established in the code for certain combinations of use and construction types such as regional shopping malls and high-rise construction.

(2) Code requirements related to unlimited area buildings design analysis methods needed to ensure that fire protection elements of buildings depicted on plans do in fact conform to code requirements.

4. The texts used in teaching this course shall include, but not be limited to, the BOCA National Building Code, the BOCA National Mechanical Code, the National Electrical Code (NEC) and the National Standard Plumbing Code.

(k) Plumbing inspector I.C.S.: The program designed to satisfy the educational requirements for licensure as a plumbing inspector I.C.S. shall consist of a minimum of 120 hours of instruction in the following subject areas. The program shall provide instruction in the following technical administrative areas with the specified texts as they apply to the plan review of class II and class III structures and the inspection of all structures as established in N.J.A.C. 5:23-3.

1. Area 1 shall consist of the plumbing subcode adopted at N.J.A.C. 5:23-3, as follows:

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- i. General regulations;
- ii. Materials;
- iii. Joints and connections;
- iv. Traps, cleanouts and backwater valves;
- v. Interceptors;
- vi. Plumbing fixtures, fixture fittings, and plumbing appliances;
- vii. Hangers and supports;
- viii. Indirect waste piping and special wastes;
- ix. Water supply and distribution;
- x. Sanitary drainage systems;
- xi. Vents and venting;
- xii. Storm water drainage;
- xiii. Tests and maintenance;
- xiv. Mobile home and travel trailer park plumbing standards; and
- xv. Abandonment of septic tanks.

2. Area 2 shall consist of the mechanical subcode adopted at N.J.A.C. 5:23-3, as follows:

- i. Definitions;
- ii. General regulations;
- iii. Ventilation;
- iv. Exhaust systems;
- v. Duct systems;
- vi. Combustion air;
- vii. Chimneys and vents.
- viii. Specific appliances, fireplaces, and solid fuel-burning equipment;
- ix. Boilers, water heaters, and pressure vessels;
- x. Refrigeration;
- xi. Hydronic piping;
- xii. Fuel oil piping and storage;

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- xiii. Solar systems;
 - xiv. Referenced standards; and
 - xv. Combustion air openings and chimney connector pass-throughs.
3. Area 3 shall consist of the fuel gas code as adopted at N.J.A.C. 5:23-3, as follows:
- i. Definitions;
 - ii. General regulations;
 - iii. Gas piping installations;
 - iv. Chimneys and vents;
 - v. Specific appliances;
 - vi. Referenced standards;
 - vii. Sizing and capacities of gas piping;
 - viii. Sizing of venting systems serving appliances equipped with draft hoods, Category 1 appliances, and appliances listed for use and type B vents;
 - ix. Exit terminals of mechanical draft and direct-vent venting systems; and
 - x. Recommended procedure for safety inspection of an existing appliance installation.
4. Area 4 shall consist of the residential code, mechanical section adopted at N.J.A.C. 5:23-3, as follows:
5. Area 5 shall consist of the energy codes adopted at N.J.A.C. 5:23-3, as follows:
- i. Energy Conservation Code;
 - (1) Chapter 5; and
 - (2) Chapter 11; and
 - ii. ASHRAE 90.1.
6. Area 6 shall consist of the Uniform Construction Code, as follows:
- i. General provisions;
 - ii. Administration;
 - iii. Subcodes;
 - iv. Rehabilitation Subcode, including:
 - (1) Fixture counts; and
 - (2) Scoping; and

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v. Barrier Free Subcode, including:

- (1) Coordination with other subcodes;
- (2) Accessibility and clearances; and
- (3) Fixtures and fittings.

7. Area 7 shall consist of the provisions at *N.J.A.C. 5:23A*, the Construction Board of Appeals.

8. Area 8 shall consist of the following field and lab experience:

- i. Review of plans for class II or class III structures using a model checklist;
- ii. Inspection of a structure using a model checklist; and
- iii. Use and application of Uniform Construction Code forms and formats.

9. Area 9 shall consist of public health requirements, as follows:

- i. Knowledge of New Jersey Health Law and Code, including prior approval requirement regarding septic systems, wells, and retail food establishments.

10. Area 10 shall consist of liquefied petroleum gas installations.

11. The texts to be used in the plumbing inspector I.C.S. program shall include, but not be limited to, the National Standard Plumbing Code, the International Mechanical Code, the BOCA National Energy Conservation Code, the International Residential Code, the International Fuel Gas Code, the Uniform Construction Code Act (*N.J.S.A. 52:27D-119* et seq.), and the Uniform Construction Code rules (*N.J.A.C. 5:23*).

(l) Plumbing inspector H.H.S.: The program designed to satisfy the educational program requirements for licensure as a plumbing inspector H.H.S. shall consist of a minimum of 60 hours of instruction in the following technical and administrative subject areas with the specified texts as they apply to the plan review of class I structures and the inspection of all other structures as established at *N.J.A.C. 5:23-3*.

1. Completion of an educational program meeting the requirements of plumbing inspector I.C.S. shall be a prerequisite for registration in the educational program for plumbing inspectors H.H.S.

2. Area 1 shall consist of the plumbing subcode adopted at *N.J.A.C. 5:23-3*, as follows:

- i. Installation of medical gas and vacuum piping systems;
- ii. Special requirements for health care facilities; and
- iii. Oil/sand separators.

3. Area 2 shall consist of the Uniform Construction Code, as follows:

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i. Rehabilitation Subcode; and

ii. Barrier Free Subcode.

4. Area 3 shall consist of special hazardous concerns, as follows:

i. LP Gas installations;

ii. Sizing tables;

iii. Materials standards;

iv. Gas station floor drains; and

v. Chemical waste.

5. Area 4 shall consist of Code Administration, as follows:

i. Non-conforming materials;

ii. Prior approvals;

iii. Coordination with other subcode areas;

iv. Coordination with municipal utility authorities; and

v. Coordination with utility companies.

6. Area 5 shall consist of the following field and laboratory experience:

i. Review of plans for a Class I building using a model checklist;

ii. Inspection of a structure using a model checklist; and

iii. Use and application of Uniform Construction Code forms and formats.

7. The texts to be used in teaching this course shall include, but not be limited to, the National Standard Plumbing Code, the International Mechanical Code, the BOCA National Energy Conservation Code and the International Fuel Gas Code.

(m) Subcode official program: The following standards apply to programs designed to satisfy the educational program requirements for a license as a subcode official.

1. Prerequisites: Possession of a license as an inspector of the same type and specialty as the subcode official being applied for.

2. Subject requirements: The program shall provide at least 45 contact hours of instruction. It shall ensure competence in subcode administration and enforcement and include instruction in the following subject:

i. Subject, Subcode administration:

(1) Area 1, Administration: Subcode administration's background, purpose, place in local government structure and relation to construction code administration programs at

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other levels of government. Office procedures for inspectors, including forms and records used and purpose of each Method of establishing and maintaining proper review and approval of permit applications for compliance with the construction code and applicable laws and ordinances under the jurisdiction of related public agencies, including application contents, use of procedure and information sheets for applications, use of check lists for compliance with applicable ordinances, and processing of applications.

(2) Area 2, Legal aspects of Code enforcement: Purpose and fundamentals of stop orders, notices of penalty, and court action; powers and procedures available to deal with hazardous conditions and emergency situations including emergency work orders and bids and quotations process. Procedures for processing cases involving condemnations and other violations of the subcode from initiation through final compliance. Preparation of case records. Situations requiring a warrant and process of obtaining and issuing the warrant. The administrative hearing process under the State Construction Code Act. Legal aspects of the operations of the enforcing agencies, including legal processes and rules of evidence. Legal responsibilities of inspection personnel. Method of appealing hearing decisions to court and legal basis of doing so.

(3) Area 3, Related legislation: Legal rights of landlords and tenants under Federal, State and local laws. Relocation laws and their relationship to code enforcement. Relationship of housing maintenance provisions, State and local.

(n) Elevator Inspector H.H.S.: The following standards apply to programs designed to satisfy the educational program requirements for licensure as elevator inspector H.H.S. Each such program shall consist of three major subjects and shall provide at least 90 contact hours with a minimum of at least 30 contact hours of instructions in each subject as specified below and shall ensure technical competence in the following subject areas as they apply to all structures:

1. Subject 1: Inspection and testing rules and regulations for elevators, escalators, lifts and other miscellaneous hoisting and elevating equipment; hoistways and related constructions:

i. Minimum requirements, acceptance tests; periodic and routine tests and inspections; alterations, repairs, replacements and maintenance; certificate of compliance;

ii. Construction of hoistways, enclosures and machine room; vents and opening protective requirements; pits; clearances and runbys for cars and counterweights; hoistway doors, hardware and operations; chair platforms; special requirements for escalators and other elevating equipment.

2. Subject 2: Machinery and equipment for elevators, escalators and lifts:

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i. Guide rails; buffers and bumpers; counterweights; car frame and platforms; safeties and speed governors; suspension ropes; capacities; driving machines; valves, pipings and tanks for hydraulic elevators; terminal stopping devices; operating devices and control equipment; emergency operation and signalling devices; power wiring and controls.

3. Subject 3: Plan review and inspection techniques:

i. Performance standards for machinery, equipment and systems, materials standards; engineering and type tests; design data; special requirements for escalators, chairlifts and other elevating equipment; barrier-free subcode requirements for elevators and lifts; plan review techniques for electrical and mechanical systems; inspection techniques and checklists for inspection--inside the car, outside hoistway, top of car, machine room and pit and testing of various systems.

(o) Construction official: The following standards apply to programs designed to satisfy the educational program requirements for a construction official license.

1. Prerequisites:

- i. Possession of a license as an inspector of the same type and specialty as the construction official license for which application is being made.
- ii. Completion of the educational program required for subcode official.

2. Subject requirements: The program shall provide at least 45 contact hours of instruction. It shall ensure competence in construction code administration and enforcement and shall include instruction in the following subject.

i. Subject, Construction code administration:

(1) Area 1, Administration: Construction code administration's background, purpose, place in local government structure and relation to construction code administration programs at other levels of government. Personnel management including required personnel, records, budgeting. Basic principles of supervision and management. Local enforcement agency administration including records, reports, equipment, personnel procedures and regulations of the Federal, State and local government. Preparation of agency's budget, record keeping requirements under the State Uniform Construction Code including permit and certificate of occupancy records, variation application records and violation files and records. Major forms of manual and electronic methods of data processing. Method of establishing and maintaining proper review and approval procedures for permit applications to ensure compliance with the construction code and applicable laws and ordinances.

(2) Area 2, Legal methods of code enforcement: Purpose and fundamentals of stop orders, notices of penalties and court action. Powers and procedures available to deal with hazardous conditions and emergency situations including emergency work orders

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and bids and quotations process. Procedures for processing cases involving condemnations and other violations of the subcode from initiation through final compliance. Preparation of case records. Situations requiring a search warrant and the process of obtaining and issuing the warrant. The administrative hearing process under the State Construction Code Act. Legal aspects of the operations of the building and housing inspection agencies, including legal processes and rules of evidence. Legal responsibilities of inspection personnel. Appeals and process before boards of appeal.

(3) Area 3, Related legislation: Legal rights of landlords and tenants under Federal, State and local laws. Relocation laws and their relationship to code enforcement. Relationship of housing maintenance provisions State and local.

(4) Area 4, Subcodes: Housing code provisions including occupancy loads, minimum utilities and facilities. Building subcode provisions including structural requirements, durability and weatherability requirements, and light, air and ventilation requirements. Electrical subcode provisions including minimum service and appliances and basic circuits. Fire prevention code provisions including special permits required, storage and handling of goods and materials, maintenance of exit facilities and maintenance of fire protection equipment. Fire Protection subcode provisions including height and area requirements, fire resistance, flame spread and combustibility requirements; and fire alarm, detection and suppression systems. Plumbing subcode provisions including sanitary waste disposal, water supply, venting and required facilities.

§ 5:23-5.21 Renewal of license or certification

(a) The Department may issue the appropriate license following submission of an application, payment of the required nonrefundable fee, and verification by the Licensing Unit of the Bureau of Code Services that the applicant meets the requirements for renewal of the license established herein.

(b) Every three years, any license already issued shall be renewed upon submission of an application, payment of the required nonrefundable fee, and verification by the Licensing Unit of the Bureau of Code Services that the applicant has met such continuing educational requirements as may be established by the Commissioner.

1. The Department shall renew the license previously issued for a term of three years; provided, however, that it may renew any such license for a shorter period of time if so requested by the licensee. The renewal period shall begin 90 days prior to the expiration dates, which shall be July 31 or January 31.

(c) The Department shall issue, upon application, a duplicate license wallet card of the appropriate type and specialty, upon a finding that the license has been issued, and that the applicant is entitled to such license wallet card to replace one that has been lost, destroyed, or mutilated. Payment of a fee of \$ 13.00 shall be required.

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(d) Continuing education requirements are as follows:

1. The following continuing education requirements are based upon the type(s) of license(s) held, and not upon employment positions held. Continuing Education Units (CEUs) will be subject to approval by the Bureau of Code Services. One CEU equals 10 contact hours. CEUs will be awarded both for technical and for administrative licenses.

i. Inspector license only--1.5 CEU (technical);

ii. Inspector and subcode official licenses--2.0 CEU's (1.5 technical and 0.5 administrative);

iii. Inspector, subcode official and construction official licenses--2.5 CEU's (1.5 technical and 1.0 administrative).

iv. Special inspector certifications -- .5 CEU Technical

(1) No CEUs are required for certification renewal of special inspectors that are in possession of a current New Jersey license as an engineer.

2. If an individual adds an inspector license in a new subcode area to an existing license, there will be no additional continuing education requirement for the new licenses during that licensure period.

3. If an individual adds administrative licenses to an existing license, there will be no additional continuing education requirement for the new administrative license during that licensing period.

4. To maintain a mechanical inspector's license, 1.5 CEU (technical) shall be completed, as required by this section, in addition to any other CEU requirements for other licenses held.

5. The Department may determine that attendance at specific seminar(s) is mandatory for individual inspectors, subcode officials, or construction officials.

i. The Barrier Free Subcode seminar shall be a mandatory seminar. Each licensed building subcode official or building inspector shall have completed this course for license renewal on or after July 1, 1998. Barrier Free Subcode seminars completed after July 1, 1995 shall be counted toward meeting this requirement.

ii. The framing inspection seminar, which shall provide instruction in inspection methods and procedures, shall be a mandatory seminar. For licenses renewed on or after January 1, 2002, each licensed building inspector shall have completed the framing inspection seminar in order to renew his or her building inspector license(s). Beginning in the fall semester of 2001, the framing inspection seminar delivered through the Department's continuing education program shall be the only framing inspection seminar deemed to satisfy this requirement.

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iii. If the Department establishes mandatory seminar(s), the seminar(s) will be offered in sufficient numbers and locations so as to facilitate compliance.

iv. For those code officials who do not complete the mandatory seminar(s), the Department shall offer either a special seminar or video seminar so the code official may be in compliance. The Department shall charge a fee of \$ 50.00 per person to attend any video seminar or special seminar.

6. CEU credit for a given course shall be allowed with respect to all licenses held by a licensee to which the course may be applicable.

(e) Lapsed license renewal requirements are as follows:

1. Where the holder of a license has allowed the license to lapse by failing to renew the license as provided for in (b) above, a new application and license shall be required. If such application is made within three years of the license having lapsed, then application may be made in the same manner as a renewal application.

2. The late renewal application shall be accompanied by the appropriate renewal fee and an additional late fee of \$ 82.00 per year or fraction thereof.

3. Additionally, the licensee must make up or meet the annual continuing education training requirement for each active and expired year as specified herein.

4. Where a license has lapsed for a period exceeding three years, a new application shall be required in accordance with *N.J.A.C. 5:23-5.5*, and the applicant must meet all current licensure requirements.

(f) After revocation of a license upon any of the grounds set forth in these rules, the Licensing Unit may not renew or reinstate such license; however, a person may file a new application for a license with the Department.

(g) The Department shall not issue a new license to an applicant whose license was previously revoked unless and until the following conditions are met:

1. At least three years shall have passed since the effective date of the revocation of the previous license;

2. If the applicant was convicted of a crime related in any way to code enforcement, the Department shall have determined in light of the factors set forth in *N.J.S.A. 2A:168A-2*, that the applicant has been fully rehabilitated and that licensing the applicant would not be detrimental to the public welfare;

3. The applicant shall have made full restitution to any person who sustained a loss as a result of the act or omission for which the previous license was revoked; and

4. All conditions imposed by the order of revocation shall have been complied with.

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§ 5:23-5.22 Fees

(a) No application for a license shall be acted upon unless said application is accompanied by a non-refundable fee as specified herein.

1. A non-refundable application fee of \$ 82.00 shall be charged in each of the following instances:

i. Application for any one given technical license specialty, or for the Inplant Inspector or Mechanical Inspector license.

ii. Application for any one given technical license specialty plus the related Subcode Official license, if both are applied for at the same time.

iii. Application for any one given technical license specialty plus the related Subcode Official license, as well as the Construction Official license, if all three are applied for at the same time.

iv. Application for special inspector certification.

2. A non-refundable application fee of \$ 44.00 shall be charged for each administrative license applied for separately from a technical license.

3. Persons rejected for one or more licenses, and who subsequently reapply, are subject to the fee schedule as defined in (a)1i, ii and iii above.

4. Renewal fee: The three year renewal application fee shall be \$ 82.00.

5. Persons who have become ineligible to retain their administrative license by reason of failure to remove the provisional status of such license within the prescribed two-year period must submit a non-refundable application fee of \$ 44.00 in order to reapply for said administrative license without recourse to any further provisional status privilege.

6. Registration and examination fees for the certification of construction code officials: The fee schedule shall be as submitted by the administrative agency of the examination program to the Department.

§ 5:23-5.23 Examination requirements

(a) Examinations shall be held to determine minimum competency in the following license disciplines:

1. Building inspector R.C.S., building inspector I.C.S., building inspector H.H.S.;

2. Electrical inspector I.C.S., electrical inspector H.H.S.;

3. Fire protection inspector I.C.S., fire protection inspector H.H.S.;

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4. Plumbing inspector I.C.S., plumbing inspector H.H.S.;
5. Elevator inspector H.H.S.;
6. Mechanical inspector H.H.S.; and
7. Inplant inspector.

(b) In instances where more than one license level within a given subcode area requires the successful completion of one or more examination modules, award of the higher level license specialty will be dependent upon successful completion of the educational program in accordance with *N.J.A.C. 5:23-5.20* and the examination module(s) required for the lower level license, or possession of the applicable lower level license.

(c) Applicants for the licenses listed above shall demonstrate minimum competence by the successful completion of the applicable examination modules of any national testing program for construction code inspectors program approved by the Department.

(d) Requirements for specific licenses shall be as follows:

1. Examination requirements for building inspector R.C.S. shall be the successful completion of the following examination modules: building, one-and two-family dwelling, and mechanical, one-and two-family dwelling.
2. Examination requirements for building inspector I.C.S. shall be the successful completion of the following examination modules: building, general and mechanical, general.
3. Examination requirements for building inspector H.H.S. shall be the successful completion of the following examination module: building, plan review.
4. Examination requirements for electrical inspector I.C.S. shall be the successful completion of the following examination modules: electrical, one-and two-family dwelling, and electrical, general.
5. Examination requirements for electrical inspector H.H.S. shall be the successful completion of the following examination module: electrical, plan review.
6. Examination requirements for fire protection inspector I.C.S. shall be the successful completion of the following examination modules: fire protection, general, and mechanical, one and two-family dwelling.
7. Examination requirements for fire protection inspector H.H.S. shall be the successful completion of the following examination module: fire protection, plan review.
8. Examination requirements for plumbing inspector I.C.S. shall be the successful completion of the following examination modules: plumbing, general, and mechanical, general.

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9. Examination requirements for plumbing inspector H.H.S. shall be the successful completion of the following examination module: plumbing, plan review.

10. Examination requirements for implant inspector shall be the successful completion of the following examination modules: building, one and two-family dwelling; electrical, one and two-family dwelling; mechanical, one and two-family dwelling; and plumbing, one and two-family dwelling.

11. Examination requirements for elevator inspector shall be the successful completion of the following examination module: elevator, general.

12. Examination requirements for mechanical inspector licensure shall be the successful completion of the following examination modules: mechanical, one and two-family dwelling; and mechanical, general.

(e) Information regarding the scheduling of examinations shall be available from the Licensing Unit and any testing agency approved by the Department to administer the examinations.

(f) Examinations shall be conducted in accordance with the rules and procedures established by any testing agency approved by the Department to develop or administer the examinations.

(g) After an examination has been completed and scored, applicants shall be notified of their final rating.

(h) The following records pertaining to every examination shall be preserved for a period of three years:

1. The resulting list of grades;

2. Such other records of information in the custody of the Department as may be pertinent.

§ 5:23-5.23A Examination requirements for State-jurisdiction subcode technical licensure

(a) Applicants for licensure as amusement ride inspector I.C.S. and amusement ride inspector H.H.S. shall demonstrate competence by successful completion of the relevant examinations of the National Association of Ride Safety Officials (NAARSO). Requirements for specific licenses are as follows:

1. Examination requirement for amusement ride inspector I.C.S.:

i. Successful completion of the Level I (Basic) Inspector examination;

2. Examination requirement for amusement ride inspector H.H.S.:

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i. Successful completion of the Level II (Advanced) Inspector examination.

(b) Applicants for licensure as boiler, pressure vessel and refrigeration inspector R.C.S., boiler, pressure vessel and refrigeration inspector I.C.S. and boiler, pressure vessel and refrigeration inspector H.H.S. shall demonstrate competence by successful completion of the following examinations:

1. Examination requirements for boiler, pressure vessel and refrigeration inspector R.C.S.:

i. Successful completion of the examination for a Certificate of Competency administered by the Division of Codes and Standards;

2. Examination requirements for boiler, pressure vessel and refrigeration inspector I.C.S.:

i. Successful completion of the Basic examination of the National Board Commission.

3. Examination requirements for boiler, pressure vessel and refrigeration inspector H.H.S.:

i. Successful completion of the Basic, Level A (Shop) and Level B (Supervisory) examinations of the National Board Commission.

§ 5:23-5.23B Examination requirements for special inspectors

(a) Applicants for certification as special inspectors shall demonstrate competence by successful completion of the relevant examinations. Requirements for specific certifications are as follows:

1. Examination requirements for reinforced concrete special inspector: Successful completion of the reinforced concrete special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

2. Examination requirements for prestressed concrete special inspector: Successful completion of the prestressed concrete special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

3. Examination requirements for concrete placement special inspector: Successful completion of the Concrete Field Testing Technician Grade One Certification of the American Concrete Institute (ACI), or successful completion of the reinforced concrete special inspectors examination of the International Code Council, or successful completion of the prestressed concrete special inspectors certification of the International Code Council or equivalent as determined by the Department of Community Affairs.

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4. Examination requirements for structural masonry special inspector: Successful completion of structural masonry special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

5. Examination requirements for structural welding special inspector: Successful completion of structural welding special inspector examination of the International Code Council, or successful completion of the Certified Welding Inspector examination of the American Welding Society or equivalent as determined by the Department of Community Affairs.

6. Examination requirements for structural steel and bolting special inspector: Successful completion of structural steel and bolting special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

7. Examination requirements for spray-applied fireproofing special inspector: Successful completion of spray-applied fireproofing special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

8. Examination requirements for Exterior Insulation Finish System special inspector: Certification in the EIFS Inspection Program of the Association of the Wall and Ceiling Industries (AWCI) or a Certified EIFS Inspector by the Exterior Design Institute or equivalent as determined by the Department of Community Affairs.

§ 5:23-5.24 Procedure for approving educational programs

(a) Any licensed institution of higher education may submit any credit or noncredit course for approval as a component of the educational programs required by *N.J.A.C. 5:23-5.20* herein. The application should be in letter form, be submitted at least 60 days prior to the first class session of the course, and contain all the information specified herein.

(b) Each application should be submitted in the name of the institution by a person authorized to do so. It should contain the following minimum information:

1. The name of the course or program;
2. A description of the length of each session, the frequency of the sessions and the total number of sessions;
3. An outline showing the course or program content broken down by session. Any laboratory or practical work should be identified as such;
4. A description of any texts or materials to be used. The description should identify whether the text or materials will be mandatory or suggested;

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5. A description of the institution's standard for faculty members who will be employed to instruct the course or program;

6. An estimate of the program's duration (that is, the number of times it will be offered);

7. A statement that the institution will notify the department if the program is withdrawn or changed at anytime;

8. A statement that the institution will conduct the course or program in accordance with *N.J.A.C. 5:23-5.20* herein and will maintain such records as are therein required;

9. A statement of such charges as the institution has established for the course or program.

(c) The Department reserves the right to undertake such reviews as may be necessary to verify the accuracy of an application or conformity with these regulations. The institution, by submitting an application, expressly agrees to cooperate in such reviews.

(d) An institution may conduct a program which satisfies only a portion of the requirements established in *N.J.A.C. 5:23-5.20* or may establish a series of courses designed to fulfill all the requirements for the educational program of that article.

(e) Upon verification that the program or course will satisfy some or all of the educational program requirements, the department will:

1. Issue a letter of approval to the institution which letter shall contain any terms or conditions of such approval;

2. Place the name of the institution and the course on the Department's list of approved courses. That list will be made available to the public.

i. Any approval shall be limited in that it is effective only as long as the course conforms to the application submitted and approved.

(f) Whenever a course or program has been approved by the department, the institution offering the course may include the statement "This course is approved for credit toward a license issued by the Department of Community Affairs pursuant to the State Uniform Construction Code Act" in any catalog, bulletin or informational circulars. Whenever such a statement is included, however, the catalog, bulletin or circular shall also contain a statement describing precisely the nature and extent of the approval.

(g) The Department may revoke its approval, after notice and the opportunity to be heard, whenever it ascertains that a course has lapsed or is no longer in conformity with the requirements of these regulations, and/or the terms of the department's approval. Whenever approval has been revoked or a course has been withdrawn by an institution,

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a new application and approval shall be required before the course may again be offered as providing credit toward a license.

§ 5:23-5.25 Revocation of licenses and alternative sanctions

(a) The Department may revoke or suspend a license, and/or assess a civil penalty in accordance with *N.J.A.C. 5:23-2.31*, if the Department determines that the person involved, at any time during the preceding 10-year period:

1. Has violated the provisions of the Uniform Construction Code regulations;
2. Has obtained a license by fraud or misrepresentation, or the person named in the licensed has obtained it by fraud or misrepresentation;
3. Has aided or abetted in practice as a licensed code enforcement official any person not authorized to practice as a licensed code enforcement official under the provisions of these regulations;
4. Has fraudulently or deceitfully practiced as a licensed code enforcement official;
5. Has been grossly negligent or has engaged in misconduct in the performance of any of his duties;
6. Has failed, over a period of time, to maintain a minimally acceptable level of competence;
7. Has been found to have failed to report an offer or bribe or other favor in a proceeding under this act or other appropriate law of this or any other state or jurisdiction;
8. Has failed to comply with any order issued by the department;
9. Has made a false or misleading written statement, or has made a material omission in any submission to the department;
10. Has engaged in any conduct which demonstrates incompetency or dishonesty; or
11. Has failed to enforce the Uniform Construction Code Act or regulations.

(b) The Department, in addition or as an alternative, as the case may be, to revoking or suspending a license, or assessing a penalty, may issue a letter of warning, reprimand, or censure with regard to any conduct which, in the judgment of the Department, warrants a letter of warning, reprimand or censure. Such letters, in addition to any other filing of requirements, shall be made a part of the licensing file of the individual.

(c) Conviction of a crime, or conviction of an offense in connection with one's performance as a licensed code enforcement official or inspector, or a determination by

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the Department that a licensee has engaged in conduct constituting a conflict of interest under N.J.A.C. 5:23-4.5(j)2 or 4.14(f), shall constitute grounds for revocation of a license.

(d) The Commissioner shall appoint review committees to advise the Department concerning the appropriateness of sanctions that the Department proposes to take against persons licensed under the respective subcodes who are alleged to have done any act or omission proscribed by (a) above. The Department shall provide necessary staff for the review committees.

1. Each review committee shall consist of three persons who are licensed as subcode officials in the subcode, and are currently employed by municipalities as subcode officials in the subcode and/or as construction officials. To be eligible for appointment to a review committee, a construction official shall have had experience as a subcode official employed by a municipality in that subcode. Of the persons appointed, at least two shall also be licensed as construction officials and at least one shall be employed by at least one enforcing agency for a total of not more than 20 hours per week.

2. Members of the review committees shall be appointed by the Commissioner and shall serve for terms of three years, and until their successors shall have been appointed; except that, of those members first appointed, one shall serve for one year, one shall serve for two years, and one shall serve for three years.

3. The Commissioner shall also appoint two alternate members of each committee, who shall be persons licensed as subcode officials in the subcode and currently employed by municipalities as subcode officials in the subcode and/or as construction officials. To be eligible for appointment as an alternate member of a review committee, a construction official shall have had experience as a subcode official employed by a municipality in that subcode. The Commissioner shall designate each alternate as either a first or a second alternate. Alternates shall serve for two years, and until their successors shall have been appointed, except that, of the alternates first appointed to each review committee, one shall serve for two years and one shall serve for one year.

4. The Commissioner shall give the State organizations of officials and inspectors in each subcode an opportunity to comment on persons proposed to serve as members or alternate members of each review committee prior to their appointment.

5. No review committee shall hear any case or issue any recommendation without three members, who may be either regular or alternate members, being present.

6. In any case in which the Department makes a preliminary finding that a licensee has done any act or omission proscribed under (a) above, it shall have the case reviewed by the appropriate review committee prior to the issuance of any order revoking or suspending the license or assessing a civil penalty.

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7. The Department shall present whatever evidence it may have to the review committee. The licensee shall be given notice of the meeting of the review committee and may appear before the review committee to present his or her position, but there shall be no cross-examination of either the licensee or any representative of the Department. Nothing said by the licensee or by any other persons at the meeting of the review committee shall be used in any way, nor shall any member of a review committee be required to testify concerning proceedings before the review committee, in any subsequent proceeding.

8. The review committee shall submit its recommendations as to the sanctions, if any, that ought to be imposed, to the Assistant Director for Construction Code Enforcement within 20 business days following the meeting. No sanctions shall then be imposed without the express approval of the Assistant Director for Construction Code Enforcement. Failure of a review committee to submit a timely recommendation shall be deemed to be concurrence with the action proposed to be taken by the Department. Notice of the review committee's recommendation, or failure to issue a recommendation, shall be given to the licensee.

9. A meeting of the review committee shall not be deemed to be a hearing or an adversarial proceeding and the findings of the advisory committee shall be deemed to be only a recommendation that is not binding on the Department.

10. A licensee shall be entitled to contest any order imposing sanctions in an administrative hearing, pursuant to *N.J.A.C. 5:23-5.2*, regardless of whether he or she has exercised the option of appearing before a review committee.

(e) If a mechanical inspector loses any licensure, through any circumstances, mechanical licensure shall be terminated at the same time, whether or not the loss of the other licensure is in any way related to the performance of mechanical inspection duties.